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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CONSTANT J. CAIDOR, 031-386-998,

Plaintiff,

-v-

DIR (BFDF)TODD TRYON,

Defendant.

DECISION AND ORDER

11-CV-6379L



Plaintiff has requested appointment of counsel (Docket # 4). There is insufficient information before the Court at this time to make the necessary assessment of plaintiff's claims under the standards promulgated by *Hendricks v. Coughlin*, 114 F.3d 390, 392 (2d Cir. 1997), and *Hodge v. Police Officers*, 802 F.2d 58 (2d Cir. 1986), as issue has yet to be joined. Therefore plaintiff's motion for appointment of counsel is denied without prejudice at this time. It is the plaintiff's responsibility to retain an attorney or press forward with this lawsuit *pro se*. 28 U.S.C. § 1654.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Richard J. Arcara", written over a horizontal line.

HONORABLE RICHARD J. ARCARA
DISTRICT JUDGE
UNITED STATES DISTRICT COURT

Dated: Nov. 1, 2011